

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

IN THE MATTER OF THE TRACKING OF
ONE GRAY 2008 TOYOTA SIENNA, NEW
YORK LICENSE PLATE NUMBER EEC7528,
VEHICLE IDENTIFICATION NUMBER
5TDZK23C18S106338

No. 2:24-mj-00064-KFW

FILED UNDER SEAL

MOTION TO EXTEND SEAL AND TO DELAY NOTICE

The United States of America respectfully requests that this Court issue an order, pursuant to Local Rule 157.6(b), extending the sealing of all papers associated with the above-captioned search warrant, including the warrant, application, and related documents, as well as the return filed contemporaneously herewith, for an additional period of 90 days, from April 25, 2024 until July 24, 2024, to avoid disclosure of the information during an ongoing criminal investigation.

The above-captioned search warrant and related documents are due to be unsealed on April 25, 2024, which is ten days after the tracking ended on April 15. See Fed. R. Crim. P. 41(e)(2)(A)-(C).

Relatedly, the Government seeks a 90-day extension, until July 24, 2024, to delay notice of the tracking. Rule 41(f)(2)(C) requires that notice be provided to “the person who was tracked or whose property was tracked” within ten days after the use of the tracking device ends, but permits notice to be delayed pursuant to Rule 41(f)(3) where authorized by statute. The Government here makes its request under 18 U.S.C. § 3103a, which provides that notice may be delayed for any of the reasons listed separately in 18 U.S.C. § 2705 (except for undue delay of a trial), such as the risk of flight, destruction of evidence, or witness intimidation. Here, in particular, the targets of the investigation are

under active surveillance and the execution of a search warrant on a related location in Mexico, Maine, is contemplated. Therefore, primarily to guard against the targets' risk of flight and destruction of evidence, the Government wishes to remain covert in its investigation at this time.

For the above reason, the Government requests that the Court seal the warrant, application, and related documents, and that the Court further delay notice of the tracking, for an additional 90 days, from April 25, 2024 until July 24, 2024.

Dated: April 23, 2024

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